

# HOUSE BILL No. 1598

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-12-0.5-8.

**Synopsis:** Commission for higher education. Gives the commission for higher education (commission) the authority to do the following: (1) Direct a state educational institution to discontinue a program. (2) Approve a state educational institution's course numbering system for the courses in the core transfer library. (3) Develop a policy concerning the reporting of accountability and performance data by state educational institutions, and request the budget agency to withhold funds from state educational institutions that do not comply with the policy. (4) Recommend biennially nonbinding tuition targets to state educational institutions. For fiscal years beginning after June 30, 2009, requires the commission to present funding recommendations for state educational institutions by classification using a certain classification system and in comparison with peer institutions.

**Effective:** July 1, 2007.

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January 23, 2007, read first time and referred to Committee on Education.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## HOUSE BILL No. 1598

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-12-0.5-8, AS AMENDED BY P.L.246-2005,  
2 SECTION 121, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2007]: Sec. 8. The commission shall have the  
4 following powers and duties:

5 (1) To develop, continually keep current, and implement a long  
6 range plan for postsecondary education. In developing this plan,  
7 the commission shall take into account the plans and interests of  
8 the state private institutions, anticipated enrollments in state  
9 postsecondary institutions, financial needs of students, and other  
10 factors pertinent to the quality of educational opportunity  
11 available to the citizens of Indiana. The plan shall define the  
12 educational missions and the projected enrollments of the various  
13 state educational institutions.

14 (2) To consult with and make recommendations to the  
15 commission on vocational and technical education within the  
16 department of workforce development on all postsecondary  
17 vocational education programs. The commission shall biennially

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1 prepare a plan for implementing postsecondary vocational  
 2 education programming after considering the long range state  
 3 plan developed under ~~IC 20-1-18.3-10~~ **IC 22-4.1-13-9**. The  
 4 commission shall submit this plan to the commission on  
 5 vocational and technical education within the department of  
 6 workforce development for its review and recommendations, and  
 7 shall specifically report on how the plan addresses preparation for  
 8 employment.

9 (3) To make recommendations to the general assembly and the  
 10 governor concerning the long range plan, and prepare to submit  
 11 drafts and proposed legislation needed to implement the plan. The  
 12 commission may also make recommendations to the general  
 13 assembly concerning the plan for postsecondary vocational  
 14 education under subdivision (2).

15 (4) To review the legislative request budgets of all state  
 16 educational institutions preceding each session of the general  
 17 assembly and to make recommendations concerning  
 18 appropriations and bonding authorizations to state educational  
 19 institutions including public funds for financial aid to students by  
 20 any state agency. The commission may review all programs of any  
 21 state educational institution, regardless of the source of funding,  
 22 and may make recommendations to the governing board of the  
 23 institution, the governor, and the general assembly concerning the  
 24 funding and the disposition of the programs. In making this  
 25 review, the commission may request and shall receive, in such  
 26 form as may reasonably be required, from all state educational  
 27 institutions, complete information concerning all receipts and all  
 28 expenditures. **For the legislative request budgets of all state  
 29 educational institutions for fiscal years beginning after June  
 30 30, 2009, the commission's review shall present funding  
 31 recommendations for the state educational institutions:**

32 **(A) by classification, using the Carnegie Foundation basic  
 33 classification system for colleges and universities or a  
 34 similar methodology, as determined by the commission;  
 35 and**

36 **(B) in comparison with international, national, and  
 37 regional peer educational institutions, as determined by the  
 38 commission.**

39 (5) To submit to the commission on vocational and technical  
 40 education within the department of workforce development for its  
 41 review under ~~IC 20-1-18.3-15~~ **IC 22-4.1-13-15** the legislative  
 42 budget requests prepared by state educational institutions for state

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and federal funds for vocational education. These budget requests shall be prepared upon request of the budget director, shall cover the period determined by the budget director, and shall be made available to the commission within the department of workforce development before review by the budget committee.

(6) To make, or cause to be made, studies of the needs for various types of postsecondary education and to make recommendations to the general assembly and the governor concerning the organization of these programs. The commission shall make or cause to be made studies of the needs for various types of postsecondary vocational education and shall submit to the commission on vocational and technical education within the department of workforce development the commission's findings in this regard.

(7) To:

(A) approve or disapprove the establishment of any new branches, regional or other campuses, or extension centers or of any new college or school, or the offering on any campus of any additional associate, baccalaureate, or graduate degree, or of any additional program of two (2) semesters, or their equivalent in duration, leading to a certificate or other indication of accomplishment; **and**

**(B) direct a state educational institution to discontinue offering an associate, a baccalaureate, or a graduate degree, or any program of at least two (2) semesters, or their equivalent, that leads to a certificate or other indication of accomplishment.**

After March 29, 1971, no state educational institution shall establish any new branch, regional campus, or extension center or any new or additional academic college, or school, or offer any new degree or certificate as defined in this subdivision without the approval of the commission or without specific authorization by the general assembly. Any state educational institution may enter into contractual agreements with governmental units or with business and industry for specific programs to be wholly supported by the governmental unit or business and industry without the approval of the commission.

(8) If so designated by the governor or the general assembly, to serve as the agency for the purposes of receiving or administering funds available for postsecondary education programs, projects, and facilities for any of the acts of the United States Congress where the acts of Congress require the state to designate such an

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agency or commission. However, this subdivision does not provide for the designation of the commission by the governor as the recipient of funds which may be provided by acts of the United States Congress **and** received by an agency, a board, or a commission designated by the general assembly.

(9) To designate and employ an executive officer and necessary employees, to designate the titles of the executive officer and necessary employees, and to fix the compensation in terms of the employment.

(10) To appoint appropriate advisory committees composed of representatives of state educational institutions, representatives of private colleges and universities, students, faculty, and other qualified persons.

(11) To employ all powers properly incident to or connected with any of the foregoing purposes, powers, or duties, including the power to adopt rules.

(12) To develop a definition for and report biennially to the:

(A) general assembly;

(B) governor; and

(C) commission on vocational and technical education within the department of workforce development;

on attrition and persistence rates by students enrolled in state vocational education. A report under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.

(13) To submit a report to the legislative council not later than August 30 of each year on the status of the transfer of courses and programs between state educational institutions. The report must include any changes made during the immediately preceding academic year.

(14) To direct the activities of the committee, including the activities set forth in subdivisions (15) and (16).

(15) To develop through the committee statewide transfer of credit agreements for courses that are most frequently taken by undergraduates.

(16) To develop through the committee statewide agreements under which associate of arts and associate of science programs articulate fully with related baccalaureate degree programs.

(17) To publicize by all appropriate means, including an Internet web site, a master list of course transfer of credit agreements and program articulation agreements.

(18) To establish, with the assistance of the committee, a statewide core transfer library of at least seventy (70) courses that

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are transferable on all campuses of the state educational institutions in accordance with the principles in section 13 of this chapter.

(19) To establish, with the assistance of the committee, articulation agreements for at least twelve (12) degree programs:

(A) for which articulation agreements apply to any campus in the Ivy Tech State College system and to Vincennes University; and

(B) that draw from liberal arts and the technical, professional, and occupational fields.

**(20) To approve the course numbering systems used by state educational institutions for the core transfer library of courses required under section 13 of this chapter to:**

**(A) promote consistency between state educational institutions; and**

**(B) facilitate articulation agreements.**

**(21) To develop and implement a policy concerning the reporting of performance and accountability data by state educational institutions, and to request the budget agency to withhold operating funds from a state educational institution that does not comply with the policy.**

**(22) To recommend biennially in odd-numbered years to the governing board of each state educational institution a nonbinding tuition target based upon the mission of the state educational institution. The governing body of a state educational institution may set a tuition rate that exceeds the tuition target only if the proposed tuition rate is reviewed by both the commission and the budget committee before:**

**(A) May 30; or**

**(B) thirty (30) days after the state budget is enacted;**

**whichever is later.**

**SECTION 2. [EFFECTIVE JULY 1, 2007] (a) Before December 31, 2007, the commission for higher education shall develop the performance and accountability data reporting policy required under IC 20-12-0.5-8(21), as added by this act, and submit the policy to the budget committee for review. After the review by the budget committee, the commission for higher education shall submit the policy to the budget director for approval.**

**(b) Notwithstanding IC 20-12-0.5-8(21), as added by this act, a state educational institution is not required to report performance and accountability data under IC 20-12-0.5-8, as amended by this act, until the academic year following the academic year in which**

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- 1 the policy referred to in subsection (a) is approved.  
2 (c) This SECTION expires July 1, 2010.

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